

May 21, 2004
Case No. GB 000003 (7790/336)
Serial No.: 09/631,353
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REMARKS

In the Final Office Action, Examiner Baranyai rejected pending claims 1-16 on various grounds. The Applicant responds to each rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112:

- A. Examiner Baranyai rejected claims 1-7, 9, and 11-15 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,111,869 to *Esmailzadeh et al.* in view of U.S. Patent No. 6,389,056 to *Kanterakis et al.*

The Applicant has thoroughly considered Examiner Baranyai's remarks concerning the patentability of claims 1-7, 9 and 11-15 over *Esmailzadeh* in view of *Kanterakis*. The Applicant has also thoroughly read *Esmailzadeh* and *Kanterakis*. To warrant this obviousness rejection of claims 1-7, 9 and 11-15, there must be some suggestion or motivation, either in *Esmailzadeh* and/or *Kanterakis* or in the knowledge generally available to one of ordinary skill in the art, to modify *Esmailzadeh* in view of *Kanterakis* as proposed by Examiner Baranyai. See, MPEP §2143. The Applicant respectfully traverses this obviousness rejection of claims 1 and 3-10, because *Esmailzadeh* opposes the modification *Esmailzadeh* in view of *Kanterakis* as proposed by Examiner Baranyai by teaching away from the following limitations of independent claims 1, 3, 9 and 11:

1. "wherein the secondary station includes means for subsequently transmitting a contention resolution signal encoded with a second signature", and "wherein the primary station includes means for transmitting a further response to the contention resolution signal" as recited in independent claim 1;
2. "means for transmitting a further response to a subsequent contention resolution signal encoded with a second signature"